

Message Text

SECRET

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ACTION SS-25

INFO OCT-01 ISO-00 SSO-00 /026 W
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O 141820Z APR 77
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INFO USMISSION USUN NEW YORK IMMEDIATE

S E C R E T SECTION 1 OF 2 CAPE TOWN 0557

EXDIS

E.O. 11652: GDS
TAGS: PFOR, WA, SF
SUBJ: NEGOTIATIONS ON NAMIBIA

REF: (A) STATE 82492; (B) CAPE TOWN 0414, 0443;
(C) 76 PRESTORIA 5917

1. SUMMARY: VORSTER HAS ON SEVERAL OCCASIONS PROMISED TO GIVE PEOPLE OF SOUTH WEST AFRICA WHAT THEY WANT, AND PUBLIC EXPECTATION IS THAT ACTION OF INTERIM GOVERNMENT IS TO BE TAKEN BY CURRENT PARLIAMENT. ALTHOUGH WHITE LEADERS AS WELL AS TURNHALLE DELEGATES HAVE PUBLICLY STATED THEIR EXPECTATION THAT AN INTERIM GOVERNMENT MIGHT BE FUNCTIONING BY JULY, SAG HAS MADE NO FORMAL COMMITMENTS YET NOR PUBLICLY MENTIONED SPECIFIC TIMETABLE. OPPORTUNITIES EXIST FOR DELAY OF PROCEDURES NOW UNDERWAY. WILLINGNESS OF SAG TO DO SO IS DIFFICULT TO ASSESS, BUT WE BELIEVE THERE IS SOME FLEXIBILITY, BUT NOT TO DEGREE OF HOLDING UP TURNHALLE PROCEEDINGS INDEFINITELY. MISSION ANALYSIS HAS NOT RPT NOT BEEN COORDINATED WITH OTHER MISSIONS. END SUMMARY.

PRESENT STATUS OF TURNHALLE PETITION

2. PRIME MINISTER VORSTER HAS ON SEVERAL OCCASIONS IN
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SPEAKING OF THE TURNHALLE CONFERENCE SAID THAT IT IS FOR PEOPLE OF SWA TO DECIDE WHAT THEY WANT, AND THAT HE IS PREPARED TO FOLLOW THEIR WISHES EVEN THOUGH HE MAY DISAGREE. THESE STATEMENTS HAVE ALWAYS BEEN GENERAL IN CHARACTER. THE PM HAS AVOIDED SPECIFIC COMMITMENTS ON TIMING AND PARLIAMENTARY ACTION, ALTHOUGH HE HAS ACKNOWLEDGED THE TURNHALLE'S TARGET DATE OF DECEMBER 31

1978 FOR INDEPENDENCE. WITHIN NATIONAL PARTY, AS WELL AS AMONG THE PUBLIC, HOWEVER, THERE IS GENERAL EXPECTATION, WHICH GOVERNMENT HAS ENCOURAGED, THAT WITH TURNHALLE HAVING COMPLETED ITS WORK AND SUBMITTED ITS PETITION TO THE SAG, THE PM WILL ASK THE PARLIAMENT NOW SITTING TO AUTHORIZED ESTABLISHMENT OF THE PROPOSED INTERIM GOVERNMENT.

3. THE STATE OF PLAY WITHIN THE SAG ON THE TURNHALLE RECOMMENDATIONS IS THE FOLLOWING:

A. THE TURNHALLE CONFERENCE WAS FORMED AS A ADVISORY BODY. ITS RECOMMENDATIONS ARE FORWARDED TO APPROPRIATE SECTIONS OF SAG THROUGH PRIME MINISTER'S OFFICE. FINAL AND PRINCIPAL RECOMMENDATION WAS PRESENTED TO SAG BY TURNHALLE IN FORM OF PETITION FOR THE ESTABLISHMENT OF AN INTERIM GOVERNMENT, DATED MARCH 18, 1977 (CAPE TOWN 0443). (TEXT POUCHED DEPT AND USUN.) IT IS OUR UNDERSTANDING THAT CONCEPTUALLY AND LEGALLY IT IS NOW UP TO SAG TO DETERMINE WHAT TO DO ABOUT THIS PETITION FROM BODY IT CREATED. ALTHOUGH TURNHALLE RECOMMENDATIONS ARE BASED ON CONSENSUS INCLUDING WHITES, REFERENDUM WITHIN SHITE COMMUNITY IS A KEY ELEMENT TO INSURE SMOOTH SAILING THROUGH SA PARLIAMENT WITHOUT WHITE BACKLASH. MAY 17 REFERENDUM IS EXPECTED TO PROVIDE THAT ENDORSEMENT, AND SWA NATIONAL PARTY IS ALREADY CONDUCTING ENERGETIC CAMPAIGN OF LOCAL SPEECHES TO ASSURE AS BIG FAVORABLE VOTE AS CAN BE MUSTERED.

B. SAG RESPONSE HAS BEEN TO ESTABLISH THREE COMMITTEES TO REVIEW PERTINENT ASPECTS OF NEW RELATIONSHIP. FIRST COMMITTEE OF LAWYERS IS NOW IN PROCESS OF WORKING TURNHALLE SECRET

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RECOMMENDATIONS INTO FORM OF INTERIM CONSTITUTION. THIS COMMITTEE IS NOT COMPOSED OF TURHALLE LEGAL ADVISORS BUT RATHER IS A GROUP OF EXPERTS OPERATING UNDER THE SWA ADMINISTRATION LEGAL DEPARTMENT. SECOND COMMITTEE IS EXAMINING FINANCIAL IMPLICATIONS OF THE NEW RELATIONSHIP WITH VIEW OF FORMULATING LEGISLATION TRANSFERRING APPROPRIATE REVENUE POWERS AND JURISDICTION TO INTERIM GOVERNMENT. THIRD COMMITTEE, ABOUT WHICH NOT MUCH DATA IS AVAILABLE, IS CONCERNED EXCLUSIVELY WITH SECURITY RELATIONSHIPS COVERING BOTH NAMIBIAN INTERNAL SECURTY AND GENERAL DEFENSE MATTERS. ACCORDING TO RECENT DISCUSSIONS WITH WORKING LEVEL DFA OFFICER, DRAFT CONSTITUTION IS EXPECTED TO BE READY BY APRIL 22, FOLLOWING WHICH ABBREVIATED CONSTITUTIONAL COMMITTEE OF TURHALLE WILL REVIEW IT. LEGISLATIVE PACKAGE EXPECTED TO BE READY FOR PRESENTATION TO PRLIAMENT DURING LATTER PART OF MAY AFTER WHITE REFERENDUM.

C. THE THIRD STEP WILL BE ENACTMENT OF LEGISLATION BY SA PARLIAMENT SETTING UP INTERIM CONSTITUTION AND

TRANSFERRING SPECIFIC POWERS AND AUTHORITY TO THE INTERIM GOVERNMENT. IN DEFENSE AND INTERNAL SECURITY FIELDS, WE UNDERSTAND THAT VERY LITTLE BEYOND INCREASED PARTICIPATION IN ROUTINE POLICE AFFAIRS WILL BE GIVEN TO INTERIN GOVERNMENT. SAG HAS RELIED IN PAST ON THE PUBLIC REQUESTS FROM THE OVAMBO, KAVANGO AND CAPRIVI LOCAL GOVERNMENTS, AND THE GENERAL ENDORSEMENT BY THE TURNHALLE AS THE BASIS FOR JUSTIFICATION OF ITS CONTINUED MILITARY AND POLICE PRESIRCE. TURNHALLE PETITION PECIFICALLY STATES THAT DEFENSE, EXTERNAL AFFAIRS, TRANSPORT, FINANCE AND FOREIGN EXCHANGE, INTERNAL SECURITY INCLUDING SA POLICE AND DEFENSE FORCE, POSTS AND TELECOMMUNICATIONS INCLUDING BROADCASTING, AND CUSTOMS AND EXCISE AND SALES POLICY REMAIN WITHIN POWERS OF SAG AND PARLIAMENT DURING INTERIM GOVERNMENT PERIOD. SAG HAS GIVEN NO PUBLIC INDICATION OF WHEN IT PLANS TO PRESENT THE LEGILATION TO PARLIAMENT. SINCE

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PARLIAMENT USUALLY RECESSES AROUND JUNE 20, THE EXPECTATION IS THAT ENABLING LEGISLATION WOULD HAVE TO BE PRESENTED IN LATE MAY OR EARLY JUNE AT THE LATEST UNLESS PARLIAMENTARY

SESSION IS TO BE EXTENDED OR SPECIAL SESSION CALLED LATER IN THE YEAR.
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ACTION SS-25

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EXDIS

OPTIONS FOR DELAYING RUHANLLE PROCESS

4. AMONG PLAUSIBLE OPTIONS FOR ACHIEVING DELAY OR POSTPONEMENT OF THE PRESENT URNAHLLE PROCESS ARE:

A. STRETCH OUT THE WORK OF ONE OR MORE OF THE THREE COMMITTEES EXPLAINING THAT COMPLICATIONS HAVE ARISEN REQUIRING MORE STUDY. THERE ARE MANY ISSUES WHICH MIGHT BE ADUCED: NEED TO SORT OUT POWERS TO BE GIVEN TO THE INTERIM GOVERNMENT AND OTHERS TO BE RETAINED, COMPLICATIONS ARISING FROM FINANCIAL ARRANGEMENTS, OR MORE TIME TO CONSIDER PUBLIC SECURITY AND DEFENSE ARRANGEMENTS.

B. ALLOW COMMITTEES TO FINISH THEIR WORK AND PRESENT DRAFT LEGISLATION. EARLY IN DEBATE SEIZE ON SOME APPROPRIATE ISSUE TO SEND THE BILL TO A SELECT COMMITTEE FOR STUDY.

C. AT SOME POINT PRIOR TO COMPLETION OF THE LEGISLATIVE PROCESS TAKE THE NEED TO CONSIDER ONE OR MORE SPECIFIC POINTS WHICH EMERGE FROM NEGOTIATIONS WITH FIVE POWERS (OR SUBSEQUENT NEGOTIATION THESE MAY LEAD TO WITH UN SECRETARY GENERAL OR OTHER UN ENTITY) AS A REASON FOR HOLDING UP FURTHER ACTION. A TYPICAL ISSUE MIGHT BE DEVELOPMENT OF ARRANGMENTS NECESSRY FOR HOLDING OF A NATION-WIDE PLEBISCITE OR REFERNDUM.

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TM OPION WHICH IS LEAST LIKELY TO STIR UP PROBLEMS IS

A. COMMITTEES ARE LIKELY TO CONTINUE WORK INTO MAY BY WHICH TIME WE SHOULD HAVE SOME IDEA WHAT PROSPECTS FOR NEGOTIATIONS ARE. PROGRESS IN THE NEGOTIATIONS--OR LACK THEREOF--WILL HAVE IMPORTANT BEARING ON ACCEPTABILITY OF THE OPTIONS. IF SAG QUICKLY GETS IMPRESSION THAT NEGOTIATIONS COULD LEAD TO A FORMULA IT CAN ACCEPT, IT WILL FIND MEANS TO DELAY TURNHALLLE ACTION AND EXPLAIN IT TO ITS PEOPLE, WHETHER BY ACTION CONTEMPLATED IN OPTION A OR C. IF, ON THE OTHER HAND, IT CONCLUDES THAT THE INTERNATIONAL ASKING PRICE IS HIGHER THAN IT COULD SELL TO THE PEOPLE IN NAMIBIA AND HENCE INTENALLY, I DOUBT THAT WE WILL HAVE MUCH SUCCESS IN GETTING THEM TO ADOPT ANY OF THE THREE OPTIONS. IN SUCH CIRCUMSTANCES, THEY WILL BE INCLINED TO BULL AHEAD WITH THEIR PLAN. THIS WOULD NOT NECESSARILY PRECLUDE LATER EFFORTS TO INFLUENCE NAMIBIA INTERIM GOVERNMENT TO MOVE IN DIRECTIONS PREDICITED IN SECURITY COUNCIL RESOLUTION 385.

6. PERTINENT TO FOREGOING IS SENSE OF URGENCY IN GETTING TALKS STARTED CONVEYED TO ME BY PM VORSTER THIS AFTERNOON. HE SAID HE WANTED TALKS AS QUICKLY AS POSSIBLE IN ORDER TO LEARN WHAT WEST WANTED BY WAY OF CHANGE. HE SAID HE IS PROCEEDING ON ASSUMPTION THAT TALKS WILL BE HELD

IN CAPE TOWN BECAUSE HE WANTS TO BE READILY AVAILABLE
TOMAKE NECESSARY DECISIONS. FONMIN BOTHA AND DFA
SECRETARY FOURIE CAN CARRY THE TALKS BUT HE WILL MAKE THE
HARD CHOICES. TIME IS OF THE ESSENCE BECAUSE TURNHALLE
WORK IS IN FANAL STAGE AND PARLIAMENTARY SESSION
MOVING INTO LAST TWO MONTHS OF ITS PERIOD. HE INDICATED
THAT HE IS PREPARED TO CONSIDER CHANGES. HE COUPLED
THIS WITH OBSERVATION THAT IF THESE ARE NOT ACCEPTABLE TO
PEOPLE OF SWA, HE WILL NOT HESITATE TO MOVE AHEAD WITH
TURNHALLE PROPOSALS OR PERHAPS EVEN PULL OUT OF SWA
SUDDENLY AND COMPLETELY AND LET THE WEST PICK UP THE
PIECES.

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